

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

ANDREW S. HUANG (CABN 193730)  
Assistant United States Attorney

1301 Clay Street, Suite 340S  
Oakland, California 94612  
Telephone: (510) 637-3680  
Facsimile: (510) 637-3724  
E-Mail: [andrew.huang@usdoj.gov](mailto:andrew.huang@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 08-0367 DLJ
	)	
Plaintiff,	)	
	)	UNITED STATES' MOTION TO UNSEAL
v.	)	SEARCH WARRANTS AND
	)	[PROPOSED] ORDER
LEONARD B. AUERBACH,	)	
	)	
Defendant.	)	

The United States hereby moves the Court for an order unsealing all Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto, relating to this case. Specifically, the government obtained search warrants for the defendant's residence (No. 4:07-70464 WDB) and e-mail account (No. 3:07-70490) on August 3, 2007 and August 17, 2007, respectively. At the time the search warrants were sought, the government sought and obtained sealing orders based on the sensitivities of the ongoing federal investigation at the time, including preservation of the confidentiality of the investigation and the well being of the minor victim identified therein. Because the defendant is the sole target of the investigation and to facilitate production of discovery to the defendant, unsealing the search warrants and related documents is appropriate and necessary at this time. The government has consulted with defense counsel who

1 does not oppose this motion and supports the government's efforts to unseal the search warrant  
2 materials in order to provide them in discovery.

3 Dated: August 13, 2008

4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO  
6 United States Attorney

7 /s/

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9 ANDREW S. HUANG  
10 Assistant United States Attorney

11 **[PROPOSED] ORDER**

12 Based upon the motion of the government and for good cause shown, it is hereby  
13 ORDERED that the following shall be UNSEALED:

- 14 1. Application and Affidavit for Search Warrant, Search Warrant, and  
15 all attachments thereto, No. 4:07-70464 WDB; and  
16 2. Application and Affidavit for Search Warrant, Search Warrant, and  
17 all attachments thereto, No. 3:07-70490.

18  
19 DATED: \_\_\_\_\_

20 \_\_\_\_\_  
21 Hon. JOSEPH C. SPERO  
22 United States Magistrate Judge  
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